

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IN RE: 2023 AMENDMENT OF
UNITED STATES SENTENCING
GUIDELINES §§ 1B1.13 and 1B1.10

GENERAL ORDER NO. 2023-09

Pursuant to the provisions of the Criminal Justice Act, specifically Title 18 U.S.C. § 3006A(a)(1) and (c), and in the Court's discretion, the Office of the Federal Public Defender for the District of Nebraska is hereby appointed to represent any criminal defendant who was previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether that defendant may qualify for relief pursuant to either the 2023 U.S. Sentencing Guidelines amendment of U.S.S.G. § 1B1.13 or U.S.S.G. § 1B1.10 providing for the retroactive application of Amendment 821 (parts A and B, subpart 1 only and subject to subsection (e)(2)). To the extent it is determined that the defendant may qualify for relief, the Office of the Federal Public Defender is also appointed to file the appropriate motion for relief.

The United States Probation Office and the Clerk's Office for the District of Nebraska are authorized to disclose Presentence Investigation Reports, Statements of Reason, and Judgments to the Federal Public Defender's Office for the purpose of determining a defendant's eligibility for relief under the amendments to the United States Sentencing Guidelines referenced in this Order. If a motion for relief is thereafter filed by the Federal Public Defender, the United States Probation Office and the Clerk's Office for the District of Nebraska are likewise authorized to disclose Presentence Investigation Reports, Statements of Reason, and Judgments to the United States Attorney's Office for the District of Nebraska for the purpose of filing a response.

IT IS SO ORDERED.

Dated this 1st day of November 2023.

BY THE COURT:



Robert F. Rossiter, Jr.
Chief United States District Judge